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Attorneys for Plaintiffs and Counter-  
Defendants DEMICOM, INC. and ATEC  
POWER, INC., and for Third-Party Defendant  
MOSHE COHEN (incorrectly spelled  
"COCHEN" in the Counterclaim)

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DEMICOM, INC., a California corporation;  
ATEC POWER, INC., a California  
corporation,

Plaintiff,

v.

VENCIENT BARNES, an individual; JOHN  
DUAH, an individual; and MARK BOOTH, an  
individual; ATEC POWER, INC., a Texas  
corporation

Defendants.

ATEC POWER, INC., a Texas corporation,

Counterclaimant,

v.

Case No. 2:23-cv-09273-MRA-JPR

**DECLARATION OF KEITH M.  
GREGORY IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES**

1 DEMICOM, INC., a California corporation;  
2 AUTECH POWER, INC., a California  
corporation,

3 Counter-Defendants,

4 and

5 MOSHE COCHEN, an individual,

6 Third-Party Defendant.

7  
8 I, Keith M. Gregory, hereby declare, affirm, and state the following:

9 1. I am over the age of 18 and am competent to testify in this matter.

10 2. I am a partner in the law firm Snell & Wilmer L.L.P. and am counsel  
11 for Plaintiffs Demicom, Inc. and Autec Power, Inc. and Third-Party Defendant  
12 Moshe Cohen (collectively, "Plaintiffs") in this matter.

13 3. I have personal knowledge of the facts set forth in this Declaration and,  
14 if called to testify as a witness, I can and will testify to these facts in a court of law.

15 4. John J. Dabney is a partner at Snell & Wilmer L.L.P. and has been a  
16 member of the District of Columbia Bar since January 6, 2003. Prior to that, he was  
17 a member of the New York Bar beginning in 1997. He is admitted to practice before  
18 the Court in this case *pro hac vice*. Mr. Dabney has obtained numerous accolades and  
19 recognition for his work as a trademark litigation attorney, including consistently  
20 being ranked as a top trademark litigator in the country by The Best Lawyers in  
21 America® (2016-2024), Washington, DC Super Lawyers® (2013-2024), and World  
22 Trademark Review 1000 (2011-2024), among others. Mr. Dabney's hourly rate is  
23 \$895.00. Mr. Dabney uses a lower hourly rate in this proceeding of \$795.00. In  
24 connection with Plaintiffs' Motion to Compel, Mr. Dabney billed 41.2 hours,  
25 amounting to \$32,753.55. In connection with this motion for attorneys' fees, Mr.  
26 Dabney billed approximately 5 hours, amounting to \$3,975.

27 5. I am a partner at Snell & Wilmer L.L.P. and the Co-Chair of the  
28 commercial litigation group in California. I have been a member of the California

1 Bar since June 11, 1985. I have obtained numerous accolades and recognition for my  
2 work as a commercial litigation attorney, including consistently being ranked as a  
3 top commercial litigator in the country by The Best Lawyers in America® (2022-  
4 2025) and receiving the Legal Visionary Award by the Los Angeles Times B2B  
5 Business of Law Magazine (2022), among others. My hourly rate is \$825.00. I use a  
6 lower hourly rate in this proceeding of \$795.00. In connection with Plaintiffs' Motion  
7 to Compel, I billed 7 hours, amounting to \$5,565.00. In connection with this motion  
8 for attorneys' fees, I billed approximately 1 hour, amounting to \$795.00.

9 6. Morgan R. Povinelli is an associate at Snell & Wilmer L.L.P. and has  
10 been a member of the District of Columbia Bar since November 10, 2022. She is  
11 admitted to practice before the Court in this case *pro hac vice*. Ms. Povinelli is a  
12 member of the firm's intellectual property group. Ms. Povinelli obtained her J.D.  
13 from The George Washington University Law School, where she graduated with  
14 Honors in 2022. Ms. Povinelli's hourly rate is \$450.00, which is also the rate she uses  
15 in this proceeding. In connection with Plaintiffs' Motion to Compel, Ms. Povinelli  
16 billed 62.4 hours, amounting to \$28,080.00. In connection with this motion for  
17 attorneys' fees, Ms. Povinelli billed approximately 15 hours, amounting to  
18 \$6,750.00.

19 7. Attached hereto as **Exhibit A** is a true and correct specific breakdown  
20 of Snell & Wilmer's hours expended and billed to obtain compliance with Plaintiffs'  
21 discovery requests. These entries were pulled directly from Snell & Wilmer's  
22 invoices and future invoices to Plaintiffs.

23 8. I anticipate that Snell and Wilmer will bill approximately 10 hours  
24 preparing a reply, if Defendant timely opposes this Motion, at a blended hourly rate  
25 of \$680, and totaling an additional \$6800.00 for preparing its reply.

26 9. Based on my experience practicing and being a leader in commercial  
27 litigation in Los Angeles for over 35 years, I am very familiar with the hourly rates  
28 for attorneys in Southern California. The above hourly billing rates are reasonable

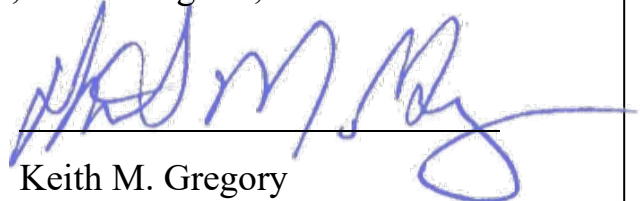
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1 within the prevailing market rate for commercial and intellectual property litigation  
2 attorneys in the Los Angeles region.

3 10. The hours expended to obtain compliance from Defendant Autec Power,  
4 Inc. with Plaintiffs' discovery requests, including preparing Plaintiffs' Motion to  
5 Compel and supporting documents and Plaintiffs' Reply to Defendant's untimely  
6 Opposition, as well as the time spent attempting to meet and confer with Defendant  
7 on its deficient discovery responses, revising Plaintiffs' joint stipulation on its  
8 Motion to Compel into a regularly noticed motion due to Defendant's failure to  
9 provide its portion, and drafting a reply to Defendant's response to the Court's Order  
10 to Show Cause to correct numerous false statements therein, were necessary.

11  
12 I declare under penalty of perjury under the laws of the United States of  
13 America that the foregoing is true and correct.

14  
15 Executed on November 8, 2024, at Los Angeles, CA.

16  
17  
18   
Keith M. Gregory